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P27154.A06.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Docket No. P27154

Michael P. Belyansky, *et al.*

Confirmation No. 2429

Appln. No. : 10/708,430

Group Art Unit: 2818

Filed : March 3, 2004

Examiner: A. Huynh

For : MOBILITY ENHANCED CMOS DEVICES

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-0025 on 5/11/06.


SignatureAndrew M. Calderon, Reg. No. 38,093

Typed or printed name of person signing Certificate

**PETITION UNDER 37 C.F.R. 1.313(c)(2)
REQUESTING WITHDRAWAL OF THE APPLICATION FROM ISSUE**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This is a Request for Withdrawal from Issue of the above-identified application.

The issue fee was paid on March 30, 2006. Applicant's representative recently discovered references which are cited in an IDS filed concurrently herewith. This

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discovery occurred subsequent to payment of the issue fee. In order to have the references considered, a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 is being filed concurrently herewith, as is an IDS making the references cited therein of record.

A Supplemental Information Disclosure Statement for the Examiner's consideration is being submitted on even date herewith in the mailroom. A signed copy of the Supplemental Information Disclosure Statement is submitted herewith. A signed copy of the RCE is also attached hereto, as a courtesy.

In accordance with 37 C.F.R. 1.114(a)(1), grant of this petition under 37 C.F.R. 1.313 (c)(2) is respectfully requested.

Please charge the \$130 petition fee required under 37 C.F.R. 1.17(h) to **IBM Deposit Account No. 09-0458** (Fishkill). The Commissioner is hereby authorized to charge any additional fees and refund excess fees concerning the application to **IBM Deposit Account No. 09-0458**.

Respectfully submitted,
Michael P. Belyansky,, *et. al*



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5/11/2006

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The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

UP POSITION UNDER 37 C.F.R. 1.313(C)(2) REQUESTING WITHDRAWAL
OF THE APPLICATION FROM ISSUE

- ☐ Amendment
☐ Executed Assignment and cover letter
☐ Executed S.E.S. ☐ S.E.S. Assertion
☐ Req. for Ext. of Time
☐ Fee Filing ☐
 Recording ☐
 Issue ☐
 Extension ☐
 Publication ☐
☐ Fee Transmittal
☐ Maintenance Fee Payment
☐ PTOL-85B Issue Fee & Publication Fee
 (with copy)
☐ Cover Letter Regarding Drawings
☐ Design Patent Application Transmittal
☐ Utility Patent Application Transmittal
☐ Provisional Application Cover Sheet
☒ Request for Continued Examination
 (RCE) including Submission
☐ Cover Letter
☐ Check No. for \$
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☐ Rule 53b and 53f Letter for
 Unexecuted Application
☐ Application Data Sheet

- ☐ Claim of Priority & Certified
 Copy of _____
☐ Declaration ☐ Executed
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 ☐ Copy from parent
☐ Transmittal Letter
☐ Patent Application
 ☐ Provisional ☐ Reexam
 ☐ Reissue ☐ Design
 ☐ Continuation ☐ CIP
 ☐ Divisional

_____ pages (w/abstract)
_____ claims _____ independent
_____ sheets of drawings
_____ figures

- ☒ I.D.S. form PTO-1449 &
 Documents ☐ as attached
 ☐ as listed on
 reverse
☐ One self-addressed postcard
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In the matter of : MOBILITY ENHANCED CMOS DEVICES

Applicant : Michael P. BELYANSKY

Application No. 10/708,430

Patent No.

Filed : 3/03/2004

Issued :

Docket : P27154

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